

FILED
U.S. DISTRICT COURT
EASTERN DISTRICT OF TEXAS

JAN 18 2017

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TYLER DIVISION

BY
DEPUTY

SEALED

UNITED STATES OF AMERICA

§

§

v.

§

6:17CR 26

§

DESMOND DENARD BROWN (01)
aka "Money C"

§

JUDGE RC/KNM

§

INDICTMENT

THE UNITED STATES GRAND JURY CHARGES:

COUNT ONE

Violation: 21 U.S.C. § 841(a)(1) (Possession
with intent to distribute cocaine base, also
known as crack cocaine)

On or about June 13, 2016, in Gregg County, Texas, in the Eastern District of
Texas, **Desmond Denard Brown**, also known as "**Money C**," Defendant herein, did
knowingly, intentionally and unlawfully possess with intent to distribute and did distribute
approximately 28 grams or more or a mixture or substance containing a detectable amount
of cocaine base, also known as crack cocaine, a Schedule II controlled substance.

In violation of 21 U.S.C. § 841(a)(1).

COUNT TWO

Violation: 21 U.S.C. § 841(a)(1) (Possession with intent to distribute methamphetamine)

On or about June 20, 2016, in Gregg County, Texas, in the Eastern District of Texas, **Desmond Denard Brown**, also known as “**Money C**,” Defendant herein, did knowingly, intentionally and unlawfully possess with intent to distribute and did distribute 5 grams or more of methamphetamine, a Schedule II controlled substance.

In violation of 21 U.S.C. § 841(a)(1).

COUNT THREE

Violation: 21 U.S.C. § 841(a)(1) (Possession with intent to distribute methamphetamine)

On or about June 23, 2016, in Gregg County, Texas, in the Eastern District of Texas, **Desmond Denard Brown**, also known as “**Money C**,” Defendant herein, did knowingly, intentionally and unlawfully possess with intent to distribute and did distribute 5 grams or more of methamphetamine, a Schedule II controlled substance.

In violation of 21 U.S.C. § 841(a)(1).

COUNT FOUR

Violation: 18 U.S.C. § 922(g)(1) (Felon in possession of firearms and ammunition)

On or about January 6, 2017, in Gregg County, Texas, in the Eastern District of Texas, **Desmond Denard Brown**, also known as “**Money C**,” Defendant herein, did knowingly and unlawfully possess firearms and ammunition, specifically:

a Sig Sauer, model P250, .40 caliber pistol, bearing serial number EAK209957;

a Glock, model 19, 9 mm caliber pistol, bearing serial number APF532;

a Glock, model 22, .40 caliber pistol, bearing serial number LGN774; and

approximately 31 rounds of 9 mm ammunition;

which firearms and ammunition had been shipped in interstate commerce, and the Defendant possessed the firearms and ammunition after having been convicted of a crime punishable by a term of imprisonment exceeding one year, specifically the felony offense of:

Aggravated Assault Causing Serious Bodily Injury, in Gregg County, Texas, in 2006.

In violation of 18 U.S.C. § 922(g)(1).

NOTICE OF INTENT TO SEEK CRIMINAL FORFEITURE

Pursuant to 18 U.S.C. § 924(d)(1), 21 U.S.C. § 853, and 28 U.S.C. § 2461

As the result of committing one or more of the foregoing offenses alleged in this Indictment, Defendants herein, shall forfeit to the United States pursuant to 18 U.S.C. § 924(d)(1), 21 U.S.C. § 853, and 28 U.S.C. § 2461 any property constituting, or derived from proceeds the person obtained directly or indirectly, as the result of such violation; and any and all personal property used or intended to be used to commit the offense, including but not limited to the following:

Cash Proceeds

\$5,900 in United States currency and all interest and proceeds traceable thereto, in that such sum in aggregate is property constituting, or derived from, proceeds obtained directly or indirectly, as the result of the foregoing offenses alleged in this Indictment.

Firearms and Ammunition

Any and all firearms, ammunition, and accessories seized from defendant(s), including but not limited to the following:

a Sig Sauer, model P250, .40 caliber pistol, bearing serial number EAK209957;

a Glock, model 19, 9 mm caliber pistol, bearing serial number APF532;

a Glock, model 22, .40 caliber pistol, bearing serial number LGN774; and

a Glock magazine and approximately 31 rounds of 9 mm ammunition; and

assorted ammunition

Substitute Assets

If any of the property described above as being subject to forfeiture, as a result of

any act or omission of the defendant —

- (a) cannot be located upon the exercise of due diligence;
- (b) has been transferred or sold to, or deposited with a third person;
- (c) has been placed beyond the jurisdiction of the court;
- (d) has been substantially diminished in value; or
- (e) has been commingled with other property which cannot be subdivided without difficulty;

it is the intent of the United States, pursuant to 21 U.S.C. § 853(p), to seek forfeiture of any other property of defendant up to the value of the above forfeitable property, including but not limited to all property, both real and personal, owned by defendant.

By virtue of the commission of the offenses alleged in this Indictment, any and all interest the Defendants have in the above-described property is vested in the United States and hereby forfeited to the United States pursuant to 21 U.S.C. § 853, and 28 U.S.C. § 2461.


A TRUE BILL,

Date: 1-18-17



FOREPERSON OF THE GRAND JURY

BRIT FEATHERSTON
ACTING UNITED STATES ATTORNEY



for MARY ANN COZBY
ASSISTANT U.S. ATTORNEY

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SEALED

NOTICE OF PENALTY

COUNTS 1-3

Violation: 21 U.S.C. § 841(a)(1)

Penalty: If more than 28 grams of cocaine base or more than 5 grams of methamphetamine, not less than 5 nor more than 40 years imprisonment, a fine not to exceed \$5,000,000, or both, and supervised release of at least 4 years.

If more than 50 grams of methamphetamine, not less than 10 years nor more than life imprisonment, a fine not to exceed \$10,000,000, or both, and supervised release of at least 5 years.

Special Assessment: \$100.00

COUNT 4

Violation: 18 U.S.C. § 922(g)(1)

Penalty: Imprisonment for not more than 10 years, a fine not to exceed \$250,000, or both, and supervised release of not more than 3 years.

Special Assessment: \$100.00